

FILED IN OPEN COURT
DATE 9/22/2016
BY Cheryl Amos
DEPUTY CLERK
Lynchburg DIVISION, W.D. of VA

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

UNITED STATES OF AMERICA

v

PHILLIP DALE MAHLKUCH

Criminal No. 6:16CR00020

INFORMATION

In Violation of:

18 U.S.C. § 2252A(a)(5)(B); 2252A(b)(2)
Possession of Child Pornography

COUNT ONE

The United States Attorney charges:

1. That from a time unknown until on or about August 27, 2013, in the Western Judicial District of Virginia, the defendant, PHILLIP DALE MAHLKUCH, did knowingly possess material that contained one or more images of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), namely digital images that had been mailed, or shipped or transported using any means or facility of interstate or foreign commerce, including by computer, or that were produced using materials that had been mailed, or shipped or transported in or affecting interstate or foreign commerce by any means, including by computer.

2. All in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and 2252A(b)(2).

NOTICE OF FORFEITURE

1. Upon conviction of the felony offenses alleged here in the defendant shall forfeit to the United States:

a. any visual depiction described in 18 U.S.C. §§ 2251, 2251A, or 2252, 2252A, 2252B or 2260, or any book, magazine, periodical, film, videotape, or other matter which

contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of law, pursuant to 18 U.S.C. § 2253(a)(1).

2. The property to be forfeited to the United States includes but is not limited to the following property:

a. Computer and/or Electronic Equipment

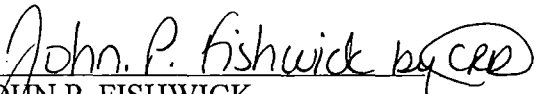
1. Dell Dimension E521 desktop computer
2. Gateway laptop computer, battery, and power cord;
3. Cisco router
4. Miscellaneous compact discs
5. Miscellaneous documents.

b. All such material containing the above-described visual depictions.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person,
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).


JOHN P. FISHWICK
UNITED STATES ATTORNEY